

“(iv) there is a road connecting the community to another post office that is not more than 10 miles from the post office proposed to be closed (as measured on roads with year-round access).”; and

(5) in paragraph (7), as so redesignated, by striking “(5)” and inserting “(6)”.

(b) **MORATORIUM ON CLOSING RURAL POST OFFICES.**—

(1) **IN GENERAL.**—Notwithstanding section 404(d) of title 39, United States Code, during the 1-year period beginning on the date of enactment of this Act, the Postal Service may not close a post office located in a rural area, as defined by the Census Bureau, including such a post office that has been damaged or completely destroyed by fire, except as required for the immediate protection of health and safety, or unless there is no significant community opposition to such closure.

(2) **RULE OF CONSTRUCTION.**—Nothing in paragraph (1) shall be construed to limit the authority of the Postal Service to implement cost-saving measures with respect to the post offices described in that paragraph.

**SA 4964.** Mrs. CAPITO submitted an amendment intended to be proposed by her to the bill H.R. 3076, to provide stability to and enhance the services of the United States Postal Service, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**TITLE IV—REFORMS TO PROMOTE MORE AFFORDABLE ENERGY**

**SEC. 401. LIMITING NEW RED TAPE AND COSTS FOR GASOLINE AND OTHER FUELS.**

(a) **PROHIBITION OF NEW METHANE REGULATIONS ON EXISTING OIL AND GAS SOURCES.**—The Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”) shall not finalize any regulation relating to methane emissions for existing oil and gas sources under section 111(d) of the Clean Air Act (42 U.S.C. 7411(d)).

(b) **WAIVER OF LOW VOLATILITY GASOLINE REQUIREMENTS.**—In accordance with section 211(c)(4)(C)(ii) of the Clean Air Act (42 U.S.C. 7545(c)(4)(C)(ii)), the Administrator shall temporarily waive low volatility gasoline requirements for any gasoline sold in the United States on or after the date of enactment of this Act until the average price of gasoline sold in the United States decreases to the average price of gasoline sold on January 1, 2021, as determined using data from the Energy Information Administration.

(c) **PREEMPTION OF STATE LOW-CARBON FUEL STANDARDS.**—Any low-carbon fuel standard implemented by any State, including any State-based program that regulates transportation fuels on carbon intensity for the purpose of reducing greenhouse gas emissions, is preempted by the Renewable Fuel Program under section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) for the purpose of better aligning the gasoline supply in the United States.

(d) **POINT OF ORDER AGAINST LEGISLATION THAT INCREASES GASOLINE OR NATURAL GAS PRICES BY IMPOSING CHARGE, FEE, OR TAX ON METHANE EMISSIONS FROM THE OIL AND GAS SECTOR.**—

(1) **POINT OF ORDER.**—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that increases the price of gasoline or natural gas in the United States through the imposition of a charge, fee, or tax on methane emissions from the oil and gas sector.

(2) **WAIVER AND APPEAL.**—Paragraph (1) may be waived or suspended in the Senate

only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph (1).

(e) **PROHIBITION ON USE OF SOCIAL COST OF GREENHOUSE GAS ESTIMATES RAISING GASOLINE PRICES.**—

(1) **IN GENERAL.**—In promulgating regulations, issuing guidance, or taking any agency action (as defined in section 551 of title 5, United States Code) relating to the social cost of greenhouse gases, no Federal agency shall adopt or otherwise use any estimates for the social cost of greenhouse gases that may raise gasoline prices, as determined through a review by the Energy Information Administration.

(2) **INCLUSION.**—The estimates referred to in paragraph (1) include the interim estimates in the document of the Interagency Working Group on the Social Cost of Greenhouse Gases entitled “Technical Support Document: Social Cost of Carbon, Methane, and Nitrous Oxide Interim Estimates under Executive Order 13990” and dated February 2021.

**SEC. 402. EXPEDITING PERMITTING AND REVIEW PROCESSES.**

(a) **DEFINITIONS.**—In this section:

(1) **AUTHORIZATION.**—The term “authorization” means any license, permit, approval, finding, determination, or other administrative decision issued by a Federal department or agency that is required or authorized under Federal law in order to site, construct, reconstruct, or commence operations of an energy project, including any authorization described in section 41001(3) of the FAST Act (42 U.S.C. 4370m(3)).

(2) **ENERGY PROJECT.**—The term “energy project” means any project involving the exploration, development, production, transportation, combustion, transmission, or distribution of an energy resource or electricity for which—

(A) an authorization is required under a Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B)(i) the head of the lead agency has determined that an environmental impact statement is required; or

(ii) the head of the lead agency has determined that an environmental assessment is required, and the project sponsor requests that the project be treated as an energy project.

(3) **ENVIRONMENTAL IMPACT STATEMENT.**—The term “environmental impact statement” means the detailed statement of environmental impacts required to be prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) **ENVIRONMENTAL REVIEW AND AUTHORIZATION PROCESS.**—The term “environmental review and authorization process” means—

(A) the process for preparing for an energy project an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) the completion of any authorization decision required for an energy project under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(5) **LEAD AGENCY.**—The term “lead agency” means—

(A) the Department of Energy;

(B) the Department of the Interior;

(C) the Department of Agriculture;

(D) the Federal Energy Regulatory Commission;

(E) the Nuclear Regulatory Commission; or

(F) any other appropriate Federal agency, as applicable, that may be responsible for navigating the energy project through the environmental review and authorization process.

(6) **PROJECT SPONSOR.**—The term “project sponsor” means an agency or other entity, including any private or public-private entity, that seeks approval from a lead agency for an energy project.

(b) **TIMELY AUTHORIZATIONS FOR ENERGY PROJECTS.**—

(1) **IN GENERAL.**—

(A) **DEADLINE.**—Except as provided in subparagraph (C), all authorization decisions necessary for the construction of an energy project shall be completed by not later than 90 days after the date of the issuance of a record of decision for the energy project by the lead agency.

(B) **DETAIL.**—The final environmental impact statement for an energy project shall include an adequate level of detail to inform decisions necessary for the role of any Federal agency involved in the environmental review and authorization process for the energy project.

(C) **EXTENSION OF DEADLINE.**—The head of a lead agency may extend the deadline under subparagraph (A) if—

(i) Federal law prohibits the lead agency or another agency from issuing an approval or permit within the period described in that subparagraph;

(ii) the project sponsor requests that the permit or approval follow a different timeline; or

(iii) an extension would facilitate completion of the environmental review and authorization process of the energy project.

(2) **ENERGY PROJECT SCHEDULE.**—To the maximum extent practicable and consistent with applicable Federal law, for an energy project, the lead agency shall develop, in concurrence with the project sponsor, a schedule for the energy project that is consistent with a time period of not more than 2 years for the completion of the environmental review and authorization process for an energy project, as measured from, as applicable—

(A) the date of publication of a notice of intent to prepare an environmental impact statement to the record of decision; or

(B) the date on which the head of the lead agency determines that an environmental assessment is required to a finding of no significant impact.

(3) **LENGTH OF ENVIRONMENTAL IMPACT STATEMENT.**—

(A) **IN GENERAL.**—Notwithstanding any other provision of law and except as provided in subparagraph (B), to the maximum extent practicable, the text of the items described in paragraphs (4) through (6) of section 1502.10(a) of title 40, Code of Federal Regulations (or successor regulations), of an environmental impact statement for an energy project shall be 200 pages or fewer.

(B) **EXEMPTION.**—The text referred to in subparagraph (A) of an environmental impact statement for an energy project may exceed 200 pages if the lead agency establishes a new page limit for the environmental impact statement for that energy project.

(c) **DEADLINE FOR FILING ENERGY-RELATED CAUSES OF ACTION.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **AGENCY ACTION.**—The term “agency action” has the meaning given the term in section 551 of title 5, United States Code.

(B) **ENERGY-RELATED CAUSE OF ACTION.**—The term “energy-related cause of action” means a cause of action that—

(i) is filed on or after the date of enactment of this Act; and

(ii) seeks judicial review of a final agency action to issue a permit, license, or other

form of agency permission for an energy project.

(2) DEADLINE FOR FILING.—

(A) IN GENERAL.—Notwithstanding any other provision of Federal law, an energy-related cause of action shall be filed by—

(i) not later than 60 days after the date of publication of the applicable final agency action; or

(ii) if another Federal law provides for an earlier deadline than the deadline described in clause (i), the earlier deadline.

(B) PROHIBITION.—An energy-related cause of action that is not filed within the applicable time period described in subparagraph (A) shall be barred.

(d) APPLICATION OF CATEGORICAL EXCLUSIONS FOR ENERGY PROJECTS.—In carrying out requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for an energy project, a Federal agency may use categorical exclusions designated under that Act in the implementing regulations of any other agency, subject to the conditions that—

(1) the agency makes a determination, in consultation with the lead agency, that the categorical exclusion applies to the energy project;

(2) the energy project satisfies the conditions for a categorical exclusion under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(3) the use of the categorical exclusion does not otherwise conflict with the implementing regulations of the agency, except any list of the agency that designates categorical exclusions.

#### SEC. 403. PROVIDING REGULATORY CERTAINTY.

(a) WATERS OF THE UNITED STATES.—The definitions of the term “waters of the United States” and the other terms defined in section 328.3 of title 33, Code of Federal Regulations (as in effect on January 1, 2021), are enacted into law.

(b) CODIFICATION OF SECTION 401 CERTIFICATION RULE.—The final rule of the Environmental Protection Agency entitled “Clean Water Act Section 401 Certification Rule” (85 Fed. Reg. 42210 (July 13, 2020)) is enacted into law.

(c) CODIFICATION OF NATIONWIDE PERMITS.—The Nationwide Permits issued, reissued, or modified, as applicable, in the following final rules of the Corps of Engineers are enacted into law:

(1) The final rule of the Corps of Engineers entitled “Reissuance and Modification of Nationwide Permits” (86 Fed. Reg. 2744 (January 13, 2021)).

(2) The final rule of the Corps of Engineers entitled “Reissuance and Modification of Nationwide Permits” (86 Fed. Reg. 73522 (December 27, 2021)).

**SA 4965.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3076, to provide stability to and enhance the services of the United States Postal Service, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ INELIGIBILITY OF SHIPMENTS FROM CERTAIN COUNTRIES TO BE EXEMPTED FROM THE ADVANCE ELECTRONIC INFORMATION REQUIREMENT.

Section 343(a)(3)(K)(vi)(II) of the Trade Act of 2002 (19 U.S.C. 1415(a)(3)(K)(vi)(II)) is amended, in the matter preceding item (aa), by inserting “, except for a covered nation (as defined in section 4871(d)(2) of title 10, United States Code),” after “exclude a country”.

**SA 4966.** Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 3076, to provide stability to and enhance the services of the United States Postal Service, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ RULE OF CONSTRUCTION.

Nothing in this Act, or an amendment made by this Act, may be construed to permit the United States Postal Service to offer, directly or indirectly, financial services, including by entering into an agreement with a third party to provide financial services.

**SA 4967.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 3076, to provide stability to and enhance the services of the United States Postal Service, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

#### SEC. 210. NEXT GENERATION DELIVERY VEHICLE CONTRACT.

Not later than 30 days after the date of enactment of this Act, the Postal Service shall make available to Congress an unredacted version of the Next Generation Delivery Vehicle contract awarded to Oshkosh Defense on February 23, 2021 (contract award number 3DVPRT-21-B-0002).

**SA 4968.** Mr. SCOTT of Florida submitted an amendment intended to be proposed by him to the bill H.R. 3076, to provide stability to and enhance the services of the United States Postal Service, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

#### SEC. 210. REPAYMENT OF ORIGINAL CARES ACT LOAN REQUIRED.

Section 6001 of the CARES Act (39 U.S.C. 101 note; Public Law 116-136) is amended—

(1) in the section heading, by striking “FUNDING” and inserting “BORROWING AUTHORITY”; and

(2) by striking subsection (c) and inserting the following:

“(c) LOAN REPAYMENT.—

“(1) IN GENERAL.—Notwithstanding the amendments to this section made by section 801 of division N of the Continuing Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 2119), the Postal Service shall repay any amounts received from the Secretary of the Treasury under subsection (b).

“(2) TERMS AND CONDITIONS.—The agreement in principle between the Secretary of the Treasury and the Postal Service that was approved by the Board of Governors of the Postal Service on July 28, 2020, and any subsequent agreement entered into between the Secretary of the Treasury and the Postal Service to implement the agreement in principle, shall apply to the repayment of amounts under paragraph (1).”.

**SA 4969.** Mr. SCOTT of Florida submitted an amendment intended to be proposed by him to the bill H.R. 3076, to provide stability to and enhance the services of the United States Postal Service, and for other purposes; which was ordered to lie on the table; as follows:

On page 55, strike lines 15 through 18 and insert the following:

#### SEC. 202. PROHIBITION ON USE OF APPROPRIATED FUNDS TO SUBSIDIZE COMPETITIVE PRODUCTS.

Section 3633 of title 39, United States Code, is amended by adding at the end the following:

“(c) PROHIBITION ON USE OF APPROPRIATED FUNDS TO SUBSIDIZE COMPETITIVE PRODUCTS.—

“(1) IN GENERAL.—In addition to the prohibitions under subsection (a), the Postal Service may not use amounts that are appropriated for other purposes to subsidize competitive products or institutional costs that support competitive products.

“(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to affect the authorization of appropriations under section 2401(c) to reimburse the Postal Service for revenue forgone under sections 3217 and 3403 through 3406.”.

#### SEC. 203. INTEGRATED DELIVERY NETWORK.

(a) IN GENERAL.—Section 101(b) of title 39, United States Code, is amended by inserting before “The Postal Service” the following: “The Postal Service may maintain

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. WHITEHOUSE. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

#### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Wednesday, March 2, 2022, at 10 a.m., to conduct a hearing on nominations.

#### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, March 2, 2022, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, March 2, 2022, at 10 a.m., to conduct a hearing on nominations.

#### COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, March 2, 2022, at 2 p.m., to conduct a joint hearing.

#### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, March 2, 2022, at 3:30 p.m., to conduct a closed briefing.

#### SUBCOMMITTEE ON GOVERNMENT OPERATIONS AND BORDER MANAGEMENT

The Subcommittee on Government Operations and Border Management of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, March 2, 2022, at 2:30 p.m., to conduct a hearing.